

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Barbara De Costa

08 CV 02336

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Merck & Co., Inc.

08 CV 02236

TO: (Name and address of defendant)

Merck & Co., Inc.  
One Merck Drive  
Whitehouse Station, New Jersey 08889-0100

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beatie and Osborn LLP  
521 Fifth Avenue, 34th Floor  
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MAR 06 2008

**J. MICHAEL McMAHON**  
CLERK

DATE

  
(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS AND COMPLAINT**  
EFFECTED (1) BY ME: **JOSE ALARCON**  
TITLE: **PROCESS SERVER**

DATE: 03/12/2008 12:58PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:MERCK & CO, INC.

Place where served:

ONE MERCK DR WHITEHOUSE STATION NJ 08889☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:JOAN E. DEARBORNRelationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLACK OTHER: \_\_\_\_\_☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

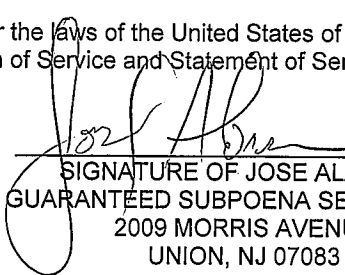
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

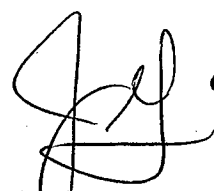
## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 03/12/2008

  
SIGNATURE OF JOSE ALARCON L.S.  
GUARANTEED SUBPOENA SERVICE, INC.  
2009 MORRIS AVENUE  
UNION, NJ 07083

ATTORNEY: DANIEL A. OSBORN  
PLAINTIFF: BARBARA DE COSTA  
DEFENDANT: MERCK & CO., INC.  
VENUE: SOUTHERN DISTRICT OF NY  
DOCKET: 08 CV 02236

 03/12/08  
JACKELINE GONZALEZ  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Dec. 7, 2010

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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